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**BOX AF**

MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1616

PATENT  
0147-0220P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Herbert SCHLACHTER Conf.: 5756  
Appl. No.: 09/743,577 Group: 1616  
Filed: March 12, 2001 Examiner: GOLLAMUDI, S.S.  
For: SKIN AND TISSUE CARE AND/OR TREATMENT  
PREPARATION

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 8, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 8, 2004 of the Primary Examiner finally rejecting claims 2-13, 17-19 and 22-40.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$475.00 is required for the full period of the above-requested extension of time.

☐ An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of

07/12/2004 SSESHE1 00000025 09743577

475.00 OP  
165.00 OP

01 FC:2253  
02 FC:2401

IFW  
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\$

Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☐ Large entity - \$330.00

☒ Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$640.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check(s) in the amount of \$640.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

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